IN THE HIGH COURT OF JUDICATURE,

ANDHRA PRADESH AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY SEVENTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE J.CHELAMESWAR

And
THE HON'BLE MR JUSTICE GODA RAGHURAM

WRIT PETITION NO : 14203 of 2004

Between:

M. Dathadri, W/o. Rajaiah,
Inspector of Odela Mandal, Karimnagar District.

..... PETITIONER

AND

1. District Collector, Karimnagar District, at Karimnagar.
2. The Chief Secretary to Government, General Administration Department, Government of Andhra Pradesh, A.P. Secretariat, Hyderabad.
3. The Secretary to Government, Revenue Department, Government of Andhra Pradesh, A.P. Secretariat, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate writ, order or direction, more particularly in the nature of writ of Mandmaus setting aside the orders of the Hon'ble A.P. Administrative Tribunal, in O.A.No. 2381/1990 dtd. 5-11-2001 and proceedings of the Collector, Karimnagar in Rc.No. A2/24248/88 dated 2-7-1993 in so far as it relates to the petitioner in the category of Typists and direct the 1st respondent to fix the rank of the petitioner in the category of Typists in the final seniority list below the approved probationer K. Prabhakara Swamy, who is at serial No. 20 in the final seniority list with consequential benefits of retrospective promotion as Senior Assistant with pay fixation, payment of arrears.

Counsel for the Petitioner:MR.P.RAMABRAHMAM.

Counsel for the Respondents: GP FOR SERVICES-II.

The Court at the stage of admission made the following :

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ORAL ORDER:

(Per the Hon'ble Sri Justice J. Chelameswar)

The writ petition is filed with the prayer as follows:

" For the reasons stated in the accompanying affidavit, the petitioner herein prays that this Hon'ble court may be pleased to issue an appropriate writ, order or direction, more particularly in the nature of writ of Mandamus setting aside the orders of the hon'ble A.P.Administrative Tribunal, in O.A.No.2381/1990 dt.5.11.2001 and proceedings of the collector, Karimnagar in Rc.No.A2/24248/98 dtd.2.7.1993 in so far as it relates to the petitioner in the category of Typists and direct the 1st respondent to fix the rank of the petitioner in the category of Typists in the final seniority list below the approved probationer K.Prabhakara Swamy, who is at serial No.20 in the final seniority list with consequential benefits of retrospective promotion as Senior Assistant with pay fixation, payment of arrears and to pass such other order or further orders as this Hon'ble court may deem fit and proper in the interest of justice."

The dispute is regarding the placement of the petitioner in the seniority list as typist. The petitioner filed O.A.No.2381 of 1998 disputing his placement in the seniority list. The A.P. Administrative Tribunal, by order dated 05-11-2001, was pleased to dismiss the O.A. The petitioner slept over the matter for over three years and filed the present writ petition without any explanation whatsoever for the delay. In the circumstances, we are of the opinion that the writ petition is hopelessly barred by latches and is liable to be dismissed.

The writ petition is accordingly dismissed at the stage of admission. No costs.

J.Chelameswar, J

Goda Raghuram, J

27th October, 2004.

mrk

To

1. District Collector, Karimnagar District, at Karimnagar.
2. The Chief Secretary to Government, General Administration Department, Government of Andhra Pradesh, A.P. Secretariat, Hyderabad.
3. The Secretary to Government, Revenue Department, Government of Andhra Pradesh, A.P. Secretariat, Hyderabad.
4. The Registrar, A.P. Administrative Tribunal, Hyderabad.
5. Two CCs to the G.P. for Services-II, High Court Buildings, Hyderabad (OUT).
6. Two CD Copies.